



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 1850 (Cy.200)

2003 No. 1850 (W.200)

AMAETHYDDIAETH, CYMRU

AGRICULTURE, WALES

**Rheoliadau Porthiant, Porthiant
(Samplu a Dadansoddi) a
Phorthiant (Gorfodi)
(Diwygio) (Cymru)
2003**

**The Feeding Stuffs, the Feeding
Stuffs (Sampling and Analysis) and
the Feeding Stuffs (Enforcement)
(Amendment) (Wales) Regulations
2003**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

1. Mae'r Rheoliadau hyn yn diwygio mewn perthynas â Chymru'n unig Reoliadau Porthiant (Cymru) 2001 (O.S. 2001/343, fel y'i diwygiwyd eisoes), Rheoliadau Porthiant (Samplu a Dadansoddi) 1999 (O.S. 1999/1663, fel y'i diwygiwyd eisoes) a Rheoliadau Porthiant (Gorfodi) 1999 (O.S. 1999/2325, fel y'i diwygiwyd eisoes).

1. These Regulations amend in relation to Wales only the Feeding Stuffs (Wales) Regulations 2001 (S.I. 2001/343, as already amended), the Feeding Stuffs (Sampling and Analysis) Regulations 1999 (S.I. 1999/1663, as already amended) and the Feeding Stuffs (Enforcement) Regulations 1999 (S.I. 1999/2325, as already amended).

2. Mae'r Rheoliadau hyn yn rhoi ar waith -

2. These Regulations implement -

- (a) Cyfarwyddeb 2002/2/EC Senedd Ewrop a'r Cyngor sy'n diwygio Cyfarwyddeb y Cyngor 79/373/EEC ar gylchredeg porthiant cyfansawdd ac yn diddymu Cyfarwyddeb y Comisiwn 91/357/EEC (OJ Rhif L63, 6.3.2002, t.23); a
- (b) Cyfarwyddeb 2002/32/EC Senedd Ewrop a'r Cyngor ar sylweddau annymunol mewn bwydydd anifeiliaid (OJ Rhif L140, 30.5.2002, t.10).

- (a) Directive 2002/2/EC of the European Parliament and of the Council amending Council Directive 79/373/EEC on the circulation of compound feedingstuffs and repealing Commission Directive 91/357/EEC (OJ No. L63, 6.3.2002, p.23); and
- (b) Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed (OJ No. L140, 30.5.2002, p.10).

3. Mae'r Rheoliadau hyn hefyd yn darparu ar gyfer gorfodi Rheoliadau canlynol y Gymuned -

3. These Regulations also provide for the enforcement of the following Community Regulations -

- (a) Rheoliad y Comisiwn (EC) Rhif 261/2003 sy'n ymwneud ag awdurdodi dros dro ffyrdd newydd o ddefnyddio ychwanegion mewn porthiant (OJ Rhif L37, 13.2.2003, t.12);
- (b) Rheoliad y Comisiwn (EC) Rhif 316/2003 sy'n ymwneud ag awdurdodi'n barhaol ychwanegyn mewn porthiant ac awdurdodi

- (a) Commission Regulation (EC) No. 261/2003 concerning the provisional authorisation of new uses of additives in feedingstuffs (OJ No. L37, 13.2.2003, p.12);
- (b) Commission Regulation (EC) No. 316/2003 concerning the permanent authorisation of an additive in feedingstuffs and the provisional

dros dro ychwanegyn a awdurdodwyd eisoes mewn porthiant (OJ Rhif L46, 20.2.2003, t.15);

- (c) Rheoliad y Comisiwn (EC) Rhif 666/2003 sy'n awdurdodi dros dro ddefnyddio rhai micro-organeddau mewn porthiant (OJ Rhif. L96, 12.4.2003, t.11); a
- (ch) Rheoliad y Comisiwn (EC) Rhif 668/2003 sy'n ymwneud ag awdurdodi'n barhaol ychwanegyn mewn porthiant (OJ Rhif L96, 12.4.2003, t.14).

4. Mae'r Rheoliadau hyn -

- (a) yn diwygio Rheoliadau Porthiant (Cymru) 2001 ("Rheoliadau 2001")-
 - (i) yn rheoliad 2(1) (dehongli), drwy ddileu'r diffiniadau o'r termau "rhestr genedlaethol" a "trydedd wlad" ac unrhyw ddiffiniadau'n dechrau ag ymadroddion penodol, addasu'r diffiniadau o'r termau "porthiant cydategol", "porthiant cyflawn", "deunydd porthiant", "porthiant" a "rhoi mewn cylchrediad", rhoi diffiniad newydd o'r term "porthiant cyfansawdd" ac ychwanegu diffiniadau newydd ar gyfer y termau "cynnyrch y bwriedir ei ddefnyddio mewn bwydydd anifeiliaid" a "sylweddau annymunol" (*rheoliad 3(a)*),
 - (ii) drwy roi yn ei le fersiwn wedi'i diwygio o reoliad 2(8) (sy'n rhagnodi sut y mae cyfeiriadau yn Rheoliadau 2001 at offerynnau'r Gymuned i'w dehongli) (*rheoliad 3(b)*),
 - (iii) drwy wneud diwygiadau canlyniadol i reoliadau 7(1), 24(1) a 24(2) (*rheoliadau 4, 7ac 8*),
 - (iv) rhoi yn lle rheoliad 12 (rheoli porthiant a deunyddiau porthiant sy'n cynnwys sylweddau annymunol), reoliad newydd wedi'i ailenwi-
 - (aa) sy'n hepgor y darpariaethau a gaiff eu cynnwys yn y rheoliad blaenorol a oedd yn rheoli rhoi deunyddiau porthiant sy'n cynnwys sylweddau annymunol dros ben y lefelau a ragnodwyd, a'i gwnâi'n ofynnol i'r sawl yr oedd ganddo yn ei feddiant, wrth gynnal busnes, gynnyrch nad oedd yn cydymffurfio, hysbysu'r Asiantaeth Safonau Bwyd a'r awdurdodau gorfodi o'r ffaith honno, ac a ddiffiniau ddeunydd porthiant at ddibenion rheoliad 12, a
 - (bb) sy'n ailddeddfu gweddill ddarpariaethau y rheoliad 12 blaenorol gydag addasiadau, yn arbennig trwy roi yn lle cyfeiriadau at y termau "porthiant" a "deunydd porthiant" gyfeiriadau at y term "cynnyrch y bwriedir ei ddefnyddio mewn bwydydd anifeiliaid" (*rheoliad 5*);

authorisation of an additive already authorised in feedingstuffs (OJ No. L46, 20.2.2003, p.15);

- (c) Commission Regulation (EC) No. 666/2003 provisionally authorising the use of certain micro - organisms in feedingstuffs (OJ No. L96, 12.4.2003, p.11); and
- (d) Commission Regulation (EC) No. 668/2003 concerning the permanent authorisation of an additive in feedingstuffs (OJ No. L96, 12.4.2003, p.14).

4. These Regulations -

- (a) amend the Feeding Stuffs (Wales) Regulations 2001 ("the 2001 Regulations") by -
 - (i) in regulation 2(1) (interpretation), deleting the definitions of the terms "national list" and "third country" and any definitions commencing with specified expressions, modifying the definitions of the terms "complementary feeding stuff", "complete feeding stuff", "feed material", "feeding stuff" and "put into circulation" , substituting a new definition of the term "compound feeding stuff" and adding new definitions for the terms "product intended for animal feed" and "undesirable substance" (*regulation 3(a)*),
 - (ii) substituting a revised version of regulation 2(8) (which prescribes how references in the 2001 Regulations to Community instruments are to be construed) (*regulation 3(b)*),
 - (iii) making consequential amendments to regulations 7(1), 24(1) and 24(2) (*regulations 4, 7 and 8*),
 - (iv) substituting for regulation 12 (control of feeding stuffs and feed materials containing undesirable substances), a new and re-titled regulation, which -
 - (aa) omits the provisions contained in the previous regulation which regulated the putting into circulation of feed materials containing undesirable substances above prescribed levels, required those possessing non-compliant products in the course of a business to notify the Food Standards Agency and the enforcement authorities of that fact and defined feed material for the purposes of regulation 12, and
 - (bb) re-enacts the remaining provisions of the previous regulation 12 with modifications, in particular by replacing the references to the terms "feeding stuff" and "feed material" with references to the term "product intended for animal feed" (*regulation 5*);

- (v) mewnosod rheoliad newydd, rheoliad 17A (darparu gwybodaeth mewn perthynas â phorthiant cyfansawdd ar gyfer anifeiliaid nad ydynt yn anifeiliaid anwes), sy'n ei gwneud yn ofynnol i gyflenwyr bwydydd cyfansawdd ddarparu gwybodaeth benodedig yn ymwneud â'r porthiant os gofynnir iddynt wneud hynny gan y rhai y cyflenwir y bwydydd iddynt (*rheoliad 6*),
 - (vi) ychwanegu dau Reoliad y Comisiwn sy'n rheoliadau newydd at y rhestr o Reoliadau'r Comisiwn y rhoddwyd awdurdodiad i farchnata ychwanegion bwyd oddi tanynt, a hwynnw'n awdurdodiad a geir yn Rhan IX o'r Tabl i Atodlen 3 (*rheoliad 9 a'r Atodlen*),
 - (vii) yn Atodlen 4 (cynnwys y datganiad statudol neu ddatganiad arall (ac eithrio ar gyfer ychwanegion a rhag-gymysgeddau na chânt eu cynnwys mewn porthiant)) addasu'r materion sy'n ymwneud â phorthiant cyfansawdd y mae'n ofynnol eu cynnwys yn y datganiad statudol a ragnodir gan reoliad 4 neu a gaiff eu datgan fel arall (*rheoliad 10*),
 - (viii) yn Atodlen 7 (terfynau a ragnodwyd ar gyfer sylweddau annymunol), addasu'r penawdau i golofn 1 a cholofn 2 o Ran I (porthiant) a dileu Rhan II (deunydd porthiant) (*rheoliad 11*), a
 - (ix) dileu Rhan II o Atodlen 10 (sy'n cynnwys enwau'r categorïau o ddeunyddiau porthiant i'w defnyddio mewn perthynas â phorthiant cyfansawdd ar gyfer anifeiliaid nad ydynt yn anifeiliaid anwes) a ganiatâi, cyn i'r Rheoliadau hyn ddod i rym, ddatgelu'r porthiant cyfansawdd hwynnw yn y datganiad a ragnodir gan reoliad 4 (*rheoliad 12*); a
- (b) gwneud diwygiadau canlyniadol i Reoliadau Porthiant (Samplu a Dadansoddi) 1999 a Rheoliadau Porthiant (Gorfodi) 1999 (*rheoliadau 13 i 20*).
- (v) inserting a new regulation, regulation 17A (provision of information in relation to compound feeding stuffs for animals other than pet animals), which requires suppliers of compound feeding stuffs to provide specified information relating to the feeding stuffs if requested to do so by those to whom they are supplied (*regulation 6*),
 - (vi) adding two new Commission Regulations to the list of Commission Regulations under which authorisation for the marketing of feed additives has been granted which is contained in Part IX of the Table to Schedule 3 (*regulation 9 and the Schedule*),
 - (vii) in Schedule 4 (contents of the statutory statement or other declaration (except for additives and premixtures not contained in feeding stuffs)) modifying the matters relating to compound feeding stuffs which are required to be contained in the statutory statement prescribed by regulation 4 or otherwise declared (*regulation 10*),
 - (viii) in Schedule 7 (prescribed limits for undesirable substances), modifying the headings to columns 1 and 2 of Part I (feeding stuffs) and deleting Part II (feed materials) (*regulation 11*), and
 - (ix) deleting Part II of Schedule 10 (containing the names of the categories of feed materials for use in relation to compound feeding stuffs for animals other than pets by which, prior to the coming into force of these Regulations, it was permissible to declare those compound feeding stuffs in the statement prescribed by regulation 4 (*regulation 12*); and
- (b) make consequential amendments to the Feeding Stuffs (Sampling and Analysis) Regulations 1999 and the Feeding Stuffs (Enforcement) Regulations 1999 (*regulations 13 to 20*).

5. Paratowyd asesiad effaith rheoliadol ar gyfer y Rheoliadau hyn ac fe'i gosodwyd yn llyfrgell Cynulliad Cenedlaethol Cymru, ynghyd â nodyn trosi yn nodi sut mae prif elfennau Cyfarwyddeb 2002/2/EC a 2002/32/EC yn cael eu trosi'n gyfraith ddomestig trwy gyfrwng y Rheoliadau hyn. Gellir cael copïau o Uned Bwydydd Anifeiliaid yr Asiantaeth Safonau Bwyd, Llawr 1af, Southgate House, Caerdydd, CF10 1EN.

5. A regulatory impact assessment has been prepared for these Regulations and has been placed in the library of the National Assembly for Wales, together with a transposition note setting out how the main elements of Directive 2002/2/EC and 2002/32/EC are transposed into domestic law by these Regulations. Copies may be obtained from the Animal Feed Unit of the Food Standards Agency, 1st Floor, Southgate House, Cardiff, CF10 1EN.

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2003

The Feeding Stuffs, the Feeding
Stuffs (Sampling and Analysis) and
the Feeding Stuffs (Enforcement)
(Amendment) (Wales) Regulations
2003

Wedi'u gwneud 16 Gorffennaf 2003

Made 16th July 2003

Yn dod i rym

Coming into force

*Rheoliadau 1,2,3,4,5,7,8,9, ac 11 a 13 i 20
1 Awst 2003*

*Regulations 1,2,3,4,5,7,8,9 and 11 and 13 to 20
1st August 2003*

Rheoliadau 6,10 a 12 6 Tachwedd 2003

Regulations 6,10 and 12 6th November 2003

Mae Cynulliad Cenedlaethol Cymru, wrth arfer y pwerau a roddwyd iddo gan adrannau 66(1), a 68(1) ac (1A), 69(1), 74A, 75(1), 76(1), ac 84 o Ddeddf Amaethyddiaeth 1970(a) (fel y'i darllenir ar y cyd â rheoliad 14 o Reoliadau Ddeddf Safonau Bwyd 1999 (Darpariaethau ac Arbedion Trosiannol a Chanlyniadol) (Cymru a Lloegr) 2000(b) ac erthyglau 2 a 6 o Orchymyn y Weinyddiaeth Amaethyddiaeth, Pysgodfeydd a Bwyd (Diddymu) 2002(c)), ac ar ôl ymgynghori fel sy'n ofynnol gan adran 84(1) o'r Ddeddf honno a chan Erthygl 9 o Reoliad (EC) Rhif178/2002 o Senedd Ewrop a'r Cyngor sy'n nodi egwyddorion a gofynion cyffredinol cyfraith fwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewropeaidd ac yn nodi'r gweithdrefnau ym materion diogelwch bwyd(ch), ac yntau wedi'i ddynodi(d) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, wrth arfer y pwerau a roddwyd iddo gan yr adran olaf hon (i'r graddau na ellir gwneud y Rheoliadau hyn o dan Ddeddf Amaethyddiaeth 1970 a nodir yn benodol uchod), yn gwneud y Rheoliadau

The National Assembly for Wales, in exercise of the powers conferred on it by sections 66(1), 68(1) and (1A), 69(1), 74A, 75(1), 76(1), and 84 of the Agriculture Act 1970(a) (as read with regulation 14 of the Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (England and Wales) Regulations 2000(b) and articles 2 and 6 of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002(c)), after consultation as required by section 84(1) of that Act and by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(d), and being designated(e) for the purposes of section 2(2) of the European Communities Act 1972 in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by that last mentioned section (in so far as these Regulations cannot be made under the powers in the Agriculture Act 1970 specified above), makes the

(a) 1970 p.40. Mae Adran 66(1) yn cynnwys diffiniadau o'r ymadroddion "the Ministers", "prescribed" a "regulations". Diwygiwyd y diffiniad o "the Ministers" gan Orchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (O.S. 1978/272), Atodlen 5, paragraff 1. Trosglwyddwyd Swyddogaethau "the Ministers", i'r graddau y maent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan O.S.1999/672.

(b) O.S. 2000/656.

(c) O.S. 2002/794.

(ch) OJ Rhif L31, 1.2.2002, t.1. O dan Erthygl 3 o Reoliad (EC) 178/2002 mae "food law" yn ymestyn i fwydydd a gynhyrchir ar gyfer anifeiliaid sy'n cynhyrchu bwyd neu a roddir yn fwyd iddynt.

(d) O.S. 1999/2788.

(a) 1970 c.40. Section 66(1) contains definitions of the expressions "the Ministers", "prescribed" and "regulations". The definition of "the Ministers" was amended by the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272), Schedule 5, paragraph 1. Functions of "the Ministers", so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I. 1999/672.

(b) S.I. 2000/656.

(c) S.I. 2002/794.

(d) OJ No. L31, 1.2.2002, p.1. Under Article 3 of Regulation (EC) 178/2002 "food law" extends to feed produced for, or fed to, food producing animals.

(e) S.I. 1999/2788.

canlynol:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Porthiant, Porthiant (Samplu a Dadansoddi) a Phorthiant (Gorfodi) (Diwygio) (Cymru) 2003 a byddant yn gymwys i Gymru'n unig.

(2) Bydd rheoliadau 1, 2, 3, 4, 5, 7, 8, 9 ac 11 a 13 i 20 yn dod i rym ar 1 Awst 2003 a bydd rheoliadau 6, 10 a 12 yn dod i rym ar 6 Tachwedd 2003.

Diwygiadau i Reoliadau Porthiant (Cymru) 2001

2. Caiff Rheoliadau Porthiant (Cymru) 2001(a) eu diwygio yn unol â rheoliadau 3 i 12.

3. Yn rheoliad 2 (dehongli) -

(a) ym mharagraff (1) -

(i) caiff y diffiniadau canlynol eu dileu -

(aa) unrhyw ddiffiniad rai yn cychwyn â'r ymadrodd "sefydliadau a gymeradwywyd gan y CE", "sefydliadau a ganiateir gan y CE", "sefydliadau a gymeradwywyd gan Ardal Economaidd Ewropeaidd", "sefydliadau a ganiateir gan Ardal Economaidd Ewropeaidd" "sefydliadau a gymeradwywyd gan y DU" neu "sefydliadau a ganiateir gan y DU",

(bb) "rhestr genedlaethol", a

(cc) "trydedd wlad",

(ii) ym mhob un o'r diffiniadau o "porthiant cydategol", "porthiant cyflawn", yn lle'r ymadrodd "rheoliad 12(10)(a)" rhodder yr ymadrodd "rheoliad 12(6)" ac yn y diffiniad o "porthiant", yn lle'r ymadrodd "rheoliad 12(11)(a)" rhodder yr ymadrodd "rheoliad 12(7)",

(iii) yn lle'r diffiniad o "porthiant cyfansawdd caiff y diffiniad canlynol ei roi

"mae i "porthiant cyfansawdd" yr ystyr a roddir i "compound feeding stuff" yn y Gyfarwyddeb Porthiant Cyfansawdd;"

(iv) yn y diffiniad o "deunydd porthiant" caiff yr ymadrodd ", yn ddarostyngedig i reoliad 12(10)(b)," ei ddileu,

(v) yn union ar ôl y diffiniad o "cynnyrch canolraddol awdurdodedig" caiff y diffiniad canlynol ei fewnosod -

following Regulations:

Title, commencement and application

1.-(1) These Regulations may be cited as the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003 and shall apply to Wales only.

(2) -Regulations 1, 2, 3, 4, 5, 7, 8, 9 and 11 and 13 to 20 shall come into force on 1st August 2003 and regulations 6, 10 and 12 shall come into force on 6th November 2003.

Amendments to the Feeding Stuffs (Wales) Regulations 2001

2. The Feeding Stuffs (Wales) Regulations 2001(a) shall be amended in accordance with regulations 3 to 12.

3. In regulation 2 (interpretation) -

(a) in paragraph (1) -

(i) the following definitions shall be deleted -

(aa) any definition commencing with the expression "EC approved", "EC permitted", "European Economic Area approved", "European Economic Area permitted" "UK approved" or "UK permitted",

(bb) "national list", and

(cc) "third country",

(ii) in each of the definitions of "complementary feeding stuff", "complete feeding stuff", for the expression "regulation 12(10)(a)" there shall be substituted the expression "regulation 12(6)" and in the definition of "feeding stuff", for the expression "regulation 12(11)(a)" there shall be substituted the expression "regulation 12(7)",

(iii) for the definition of "compound feeding stuff" there shall be substituted the following definition -

"compound feeding stuff" has the same meaning as in the Compound Feeding Stuffs Directive;"

(iv) in the definition of "feed material" the expression ", subject to regulation 12(10)(b)," shall be deleted,

(v) immediately after the definition of "premixture" there shall be inserted the following definition -

(a) O.S. 2001/343 (Cy. 15), fel y'i diwygiwyd gan O.S.2001/1797 (Cy. 172), O.S. 2003/989 (Cy 138) ac O.S. 2003/1677 (Cy.180).

(a) S.I. 2001/343 (W 15), amended by S.I. 2001/1797 (W 172), S.I. 2003/989 (W 138) and S.I. 2003/1677 (W180).

"ystyr "cynnyrch y bwriedir ei ddefnyddio mewn bwydydd anifeiliaid" yw unrhyw gynnyrch a ddefnyddir neu y bwriedir ei ddefnyddio mewn bwydydd i anifail anwes, creaduriaid a ffermir neu anifeiliaid sy'n byw yn rhydd yn y gwyllt;"

- (vi) yn lle'r diffiniad o "rhoi mewn cylchrediad" caiff y diffiniad canlynol ei roi

"ystyr "rhoi mewn cylchrediad" yw gwerthu neu drosglwyddo fel arall, cael yn eich meddiant gyda'r bwriad o werthu neu drosglwyddo fel arall, neu gynnig ar werth, a hynny ym mhob achos i drydydd parti, ond ei ystyr hefyd yn rheoliad 12 yw mewnfario i Gymru o wlad nad yw'n un o Wladwriaethau'r Ardal Economaidd Ewropeaidd nac yn rhan o un o Wladwriaethau'r Ardal Economaidd Ewropeaidd;" a

- (vii) yn union ar ôl y diffiniad o "starts" caiff y diffiniad canlynol ei fewnosod -

"ystyr "sylwedd annymunol" yw unrhyw sylwedd neu gynnyrch, nad yw'n asiant pathogenaidd ac sy'n cael ei gynnwys mewn cynnyrch y bwriedir ei ddefnyddio mewn bwydydd anifeiliaid neu sydd arno ac-

- (a) sydd â'r potensial i fod yn beryglus i iechyd anifeiliaid neu iechyd dynol neu i'r amgylchedd; neu
(b) a allai effeithio'n andwyol ar gynhyrchu da byw;" a

- (b) yn lle paragraff (8) (terfynau amrywiad) caiff y paragraff canlynol ei roi -

"(8) Caiff unrhyw gyfeiriad yn y Rheoliadau hyn at un o Offerynnau'r Gymuned ei ddehongli fel cyfeiriad at yr offeryn hwnnw fel y'i diwygiwyd ar y dyddiad y gwneir Rheoliadau Porthiant, Porthiant (Samplu a Dadansoddi) a Phorthiant (Gorfodi) (Diwygio) (Cymru) 2003."

4. Yn lle paragraff (1) o reoliad 7 (terfynau amrywiad) caiff y paragraff canlynol ei roi -

"(1) Bydd Adran 74(2) yn effeithiol fel pe mewnosodid ar ôl y geiriau "y Rhan hon o'r Ddeddf hon", y geiriau "neu Reoliadau Porthiant (Cymru) 2001 fel y'u diwygiwyd gan Reoliadau Porthiant (Samplu a Dadansoddi) (Diwygio) (Cymru) 2001 (a), Rheoliadau Porthiant a Phorthiant (Gorfodi) (Diwygio) (Cymru) 2001(b), Rheoliadau Porthiant (Diwygio) (Cymru) 2002(c) Rheoliadau Porthiant (Diwygio) (Cymru) 2003(ch) a'r Rheoliadau Porthiant, Porthiant (Samplu a Dadansoddi) a Phorthiant (Gorfodi)

"product intended for animal feed" means any product used or intended for use in feed for pet animals, farmed creatures or animals living freely in the wild;"

- (vi) for the definition of "put into circulation" there shall be substituted the following definition -

"put into circulation" means sell or otherwise transfer, have in possession with a view to selling or otherwise transferring, or offer for sale, in each case to a third party, but in regulation 12 also means import into Wales from a country which is neither an European Economic Area State nor part of an European Economic Area State;" and

- (vii) immediately after the definition of "third country" there shall be inserted the following definition -

"undesirable substance" means any substance or product, not being a pathogenic agent, which is contained in or is on a product intended for animal feed and -

- (a) constitutes a potential danger to animal or human health or the environment; or
(b) could adversely affect livestock production;" and

- (b) for paragraph (8) there shall be substituted the following paragraph -

"(8) Any reference in these Regulations to a Community instrument shall be construed as a reference to that instrument as amended on the date the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003 are made."

4. For paragraph (1) of regulation 7 (limits of variation) there shall be substituted the following paragraph -

"(1) Section 74(2) shall have effect as if after the words "this Part of this Act" there were inserted the words "or the Feeding Stuffs Regulations (Wales) 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001(a), the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001(b), the Feeding Stuffs (Amendment) (Wales) Regulations 2002(c), the Feeding Stuffs (Amendment) (Wales) Regulations 2003(d) and the Feeding Stuffs, the Feeding Stuffs (Sampling

(a) O.S. 2001/ 2253 (Cy 163).
(b) O.S. 2001/3461 (Cy. 280).
(c) O.S. 2002/1797 (Cy. 172).
(ch) O.S. 2003/989 (Cy. 138).

(a) S.I. 2001/2253 (W 163).
(b) S.I. 2001/3461 (W 280).
(c) S.I. 2002/1797 (W 172).
(d) S.I. 2003/989 (W 138).

(Diwygio) (Cymru) 2003."

5. Yn lle rheoliad 12 (rheoli porthiant a deunyddiau porthiant sy'n cynnwys sylweddau annymunol) caiff y rheoliad canlynol ei roi-

"Rheoli cynhyrchion sy'n cynnwys sylweddau annymunol ac y bwriedir eu defnyddio ar gyfer bwydydd anifeiliaid

14.-(1) Ni chaiff unrhyw berson-

- (a) roi mewn cylchrediad unrhyw gynnyrch y bwriedir ei ddefnyddio mewn bwydydd anifeiliaid ac a nodir yn benodol yng ngholofn 2 o Ran I o Atodlen 7; neu
- (b) defnyddio unrhyw gynnyrch o'r fath ar gyfer bwydydd anifeiliaid,

os yw'n cynnwys unrhyw sylwedd annymunol a nodir yn benodol yng ngholofn 1 o'r Rhan honno dros ben y lefel a nodir yn benodol ar ei gyfer yng ngholofn 3 o'r Rhan honno.

(2) Ni chaiff unrhyw berson roi mewn cylchrediad unrhyw borthiant cydategol, na'i ddefnyddio fel porthiant-

- (a) o ystyried faint ohono y cymeradwyir ei ddefnyddio mewn dogn ddyddiol, os yw'n cynnwys unrhyw sylwedd annymunol a nodir yn benodol yng ngholofn 1 o Ran I o Atodlen 7 dros ben y lefel a nodir yn benodol ar ei gyfer yng ngholofn 3 o'r Rhan honno mewn perthynas â phorthiant cyflawn; a
- (b) os nad oes darpariaeth yn ymwneud ag unrhyw borthiant cydategol yn y cofnod sy'n cyfateb yng ngholofn 2 o'r Rhan honno.

(3) Ni chaiff unrhyw berson gymysgu unrhyw gynnyrch y bwriedir ei ddefnyddio mewn bwydydd anifeiliaid ac a nodir yn benodol yng ngholofn 2 o Ran I o Atodlen 7 ac sy'n cynnwys unrhyw sylwedd annymunol a nodir yn benodol yng ngholofn 1 o'r Rhan honno dros ben y lefel a nodir yn benodol ar ei gyfer yng ngholofn 3 o'r Rhan honno at ddibenion gwneud gwanediad ohono gydag unrhyw gynnyrch y bwriedir ei ddefnyddio mewn bwydydd anifeiliaid.

(4) Ni chaiff unrhyw berson roi mewn cylchrediad unrhyw gynnyrch y bwriedir ei ddefnyddio mewn bwydydd anifeiliaid neu ddefnyddio unrhyw gynnyrch o'r fath ar gyfer bwydydd anifeiliaid oni bai-

- (a) ei fod mewn cyflwr da ac yn ddilys; a
- (b) ei fod o ansawdd werthadwy.

(5) At ddibenion paragraff (4) uchod, nid yw cynnyrch y bwriedir ei ddefnyddio mewn bwydydd anifeiliaid ac a nodir yn benodol yng ngholofn 2 o Ran I o Atodlen 7 mewn cyflwr da, yn ddilys ac o ansawdd werthadwy os yw'n cynnwys unrhyw sylwedd annymunol a nodir yn benodol yng

and Analysis) and the Feeding Stuff (Enforcement) (Amendment) (Wales) Regulations 2003."

5. For regulation 12 (control of feeding stuffs and feed materials containing undesirable substances) there shall be substituted the following regulation -

"Control of products intended for animal feed containing undesirable substances

14.-(1) No person shall -

- (a) put into circulation any product intended for animal feed which is specified in column 2 of Part I of Schedule 7; or
- (b) use any such product for animal feed,

if it contains any undesirable substance specified in column 1 of that Part in excess of the level specified for it in column 3 of that Part.

(2) No person shall put into circulation, or use as a feeding stuff, any complementary feeding stuff if -

- (a) having regard to the quantity of it recommended for use in a daily ration, it contains any undesirable substance specified in column 1 of Part I of Schedule 7 in excess of the level specified for it in column 3 of that Part in relation to complete feeding stuffs; and
- (b) there is no provision relating to any complementary feeding stuff in the corresponding entry in column 2 of that Part.

(3) No person shall mix any product intended for animal feed which is specified in column 2 of Part I of Schedule 7 and which contains any undesirable substance specified in column 1 of that Part in excess of the level specified for it in column 3 of that Part for the purpose of dilution with any product intended for animal feed.

(4) No person shall put into circulation any product intended for animal feed or use any such product for animal feed unless it is -

- (a) sound and genuine; and
- (b) of merchantable quality.

(5) For the purposes of paragraph (4) above, a product intended for animal feed which is specified in column 2 of Part I of Schedule 7 is not sound, genuine and of merchantable quality if it contains any undesirable substance specified in column 1 of that Part in excess of the level specified in relation

ngholofn 1 o'r Rhan honno dros ben y lefel a nodir yn benodol mewn perthynas ag ef yng ngholofn 3 o'r Rhan honno.

(6) At ddibenion paragraff (2) uchod ystyr "porthiant" yw-

- (a) cynnyrch sy'n deillio o lysiau ac sydd yn ei gyflwr naturiol (pa un a yw'n ffres neu wedi'i gadw);
- (b) cynnyrch sy'n deillio o brosesu cynnyrch o'r fath yn ddiwydiannol; neu
- (c) sylwedd organig neu anorganig a ddefnyddir wrth ei hun neu mewn cymysgedd,

pa un a yw'n cynnwys ychwanegion ai peidio, i'w fwydo drwy'r geg i anifeiliaid anwes neu i anifeiliaid sy'n byw yn rhydd yn y gwyllt, a dehonglir "porthiant cydategol" a "phorthiant cyflawn" yn unol â hynny."

6. Yn union ar ôl rheoliad 17 (rheoli porthiant a fwriedir at ddibenion maethiadol penodol, a darpariaethau atodol yn gysylltiedig â datganiad statudol) caiff y rheoliad canlynol ei fewnosod-

"Cyflenwi gwybodaeth mewn perthynas â phorthiant cyfansawdd ar gyfer anifeiliaid nad ydynt yn anifeiliaid anwes

17A. Pan fo person y cyflenwir iddo borthiant cyfansawdd ar gyfer anifeiliaid nad ydynt yn anifeiliaid anwes yn gofyn hynny, rhaid i gyflenwr y porthiant cyfansawdd hwnnw ddarparu manylion y canrannau union mewn pwysau o ddeunyddiau porthiant a ddefnyddir yn y porthiant cyfansawdd hwnnw."

7. Yn lle paragraff (1) o reoliad 24 (addasu adran 74A(3) o Ddeddf Amaethyddiaeth 1970) caiff y paragraff canlynol ei roi-

"(1) At ddibenion gorfodi a gweinyddu'r darpariaethau a nodir yn benodol ym mharagraff (2) isod bydd adran 74A(3) yn effeithiol fel pe rhoddid yn lle'r geiriau "rheoliadau o dan is-adran (1) uchod, neu bydd yn methu â chydymffurfio ag unrhyw ddarpariaeth arall o'r rheoliadau," y geiriau "unrhyw ddarpariaeth a nodir yn benodol yn rheoliad 25(2) o Reoliadau Porthiant (Cymru) 2001 fel y'u diwygiwyd gan Reoliadau Porthiant (Samplu a Dadansoddi) (Diwygio) (Cymru) 2001, Rheoliadau Porthiant a Phorthiant (Gorfodi) (Diwygio) (Cymru) 2001, Rheoliadau Porthiant (Diwygio) (Cymru) 2002, Rheoliadau Porthiant (Diwygio) (Cymru) 2003, Rheoliadau Porthiant, Porthiant (Samplu a Dadansoddiad) a Phorthiant (Gorfodi) (Diwygio) (Cymru) 2003".

to it in column 3 of that Part.

(6) For the purposes of paragraph (2) above "feeding stuff" means -

- (a) a product of vegetable origin in its natural state (whether fresh or preserved);
- (b) a product derived from the industrial processing of such a product; or
- (c) an organic or inorganic substance, used singly or in a mixture,

whether or not containing additives, for oral feeding to pet animals, to farmed creatures or to animals living freely in the wild, and "complementary feeding stuff" and "complete feeding stuff" shall be construed accordingly."

6. Immediately after regulation 17 (control of feeding stuffs intended for particular nutritional purposes, and supplementary provisions relating to statutory statement) there shall be inserted the following regulation -

"Provision of information in relation to compound feeding stuffs for animals other than pet animals

17A. Where a person to whom a compound feeding stuff for animals other than pet animals is supplied so requests, the supplier of that compound feeding stuff shall provide the person making that request with details of the exact percentages by weight of feed materials used in that compound feeding stuff."

7. For paragraph (1) of regulation 24 (modification of section 74A(3) of the Agriculture Act 1970) there shall be substituted the following paragraph -

"(1) For the purposes of the enforcement and administration of the provisions specified in paragraph (2) below section 74A(3) shall have effect as if for the words "regulations under subsection (1) above, or fails to comply with any other provision of the regulations," there were substituted the words "any provision specified in regulation 25(2) of the Feeding Stuffs Regulations (Wales) 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003."

8. Ym mharagraff (2) o reoliad 24 yn lle'r ymadrodd "12(3), (4), (6), (7) a (9), 13(1), 15, 16(1) a 17(1)" rhodder yr ymadrodd "12(1) i (4), 13(1), 15, 16(1), 17(1) ac 17A".

9. Yn Atodlen 3 (ychwanegion a ganiateir a darpariaethau'n ymwneud â'u defnyddio) yn lle'r rhestr o Reoliadau'r Gymuned Ewropeaidd a nodir yn benodol yn Rhan IX o'r Tabl (Rheoliadau'r Gymuned Ewropeaidd y rheolir ychwanegion drwyddynt) caiff y rhestr o Reoliadau'r Gymuned Ewropeaidd a nodir yn benodol yn yr Atodlen i'r Rheoliadau hyn ei rhoi.

10. Yn Atodlen 4 (cynnwys y datganiad statudol neu ddatganiad arall (ac eithrio ychwanegion a rhagymysgeddau na chânt eu cynnwys mewn porthiant)) -

- (a) caiff paragraff 14(1)(c) ei ddileu;
- (b) ym mharagraff 15 -
 - (i) caiff y gair "a", lle y mae'n ymddangos ar ddiwedd is-baragraff (b), ei ddileu,
 - (ii) yn lle is-baragraff (c) caiff yr is-baragraff canlynol ei roi
"(c)rhif cyfeirnod y sypyn; a" a
 - (iii) yn union ar ôl is-baragraff (c) caiff yr is-baragraff canlynol ei fewnosod -
"(ch) rhif cymeradwyo neu gofrestru a ddyrannwyd yn unol ag Erthygl 5 neu 10, yn ôl y digwydd, o Gyfarwyddeb Sefydliadau i'r sefydliadau a wnaeth weithgynhyrchu'r porthiant cyfansawdd;" a

(c) yn lle paragraff 19 caiff y paragraff canlynol ei roi -

"19. Yn achos unrhyw borthiant cyfansawdd ar gyfer anifeiliaid nad ydynt yn anifeiliaid anwes

- (a) rhaid datgelu'r holl ddeunyddiau porthiant yn y datganiad statudol -
 - (i) wrth eu henwau penodol, a
 - (ii) gan ddynodi, mewn trefn ddisgynnol, beth mewn pwysau yw canran pob deunydd porthiant a gaiff ei gynnwys yn y porthiant cyfansawdd, yn ddarostyngedig i derfyn amrywiad o +/- 15% mewn perthynas â phob canran a ddatganwyd; a
- (b) caiff y datganiad statudol gynnwys y datganiad canlynol -

" Gellir cael y ganran union mewn pwysau o'r deunyddiau porthiant a ddefnyddir yn y porthiant hwn gan ... (enw neu enw masnach, cyfeiriad neu swyddfa gofrestredig, rhif ffôn a chyfeiriad e-bost cyflenwr y porthiant cyfansawdd)."

11. Yn Atodlen 7 (terfynau a ragnodwyd ar gyfer sylweddau annymunol) -

8. In paragraph (2) of regulation 24 for the expression "12(3), (4), (6), (7) and (9), 13(1), 15, 16(1) and 17(1)" there shall be substituted the expression "12(1) to (4), 13(1), 15, 16(1), 17(1) and 17A".

9. In Schedule 3 (permitted additives and provisions relating to their use) for the list of European Community Regulations specified in Part IX of the Table (European Community Regulations by which additives are controlled) there shall be substituted the list of European Community Regulations specified in the Schedule to these Regulations.

10. In Schedule 4 (contents of the statutory statement or other declaration (except for additives and premixtures not contained in feeding stuffs)) -

- (a) paragraph 14(1)(c) shall be deleted;
- (b) in paragraph 15 -
 - (i) the word "and", where it appears at the end of sub-paragraph (b), shall be deleted,
 - (ii) for sub-paragraph (c) there shall be substituted the following sub-paragraph -
"(c)the batch reference number; and ", and
 - (iii) immediately after sub-paragraph (c) there shall be inserted the following sub-paragraph -

"(d)the approval or registration number allocated in accordance with Article 5 or as the case may be 10 of the Establishments Directive to the establishment which manufactured the compound feeding stuff;" and

(c) for paragraph 19 there shall be substituted the following paragraph -

"19. In the case of any compound feeding stuff for animals other than pet animals -

- (a) all the feed materials shall be declared in the statutory statement -
 - (i) by their specific names, and
 - (ii) with an indication, in descending order, of the percentage by weight of each feed material contained in the compound feeding stuff, subject to a limit of variation of +/- 15% in relation to each declared percentage; and
- (b) the statutory statement shall contain the following declaration -

"The exact percentage by weight of feed materials used in this feeding stuff may be obtained from ... (name or trade name, address or registered office, telephone number and email address of the supplier of the compound feeding stuff)."

11. In Schedule 7 (prescribed limits for undesirable substances) -

- (a) yn Rhan I (porthiant) yn lle'r penawdau i golofn 1 a cholofn 2 rhodder y penawdau "Sylweddau Annymunol" a "Cynhyrchion y bwriedir eu defnyddio mewn bwydydd anifeiliaid" yn y drefn honno; a
- (b) Caiff Rhan II (deunyddiau porthiant) ei dileu.

12. Caiff Rhan II o Atodlen 10 (categoriâu o ddeunyddiau porthiant i'w defnyddio mewn perthynas â phorthiant cyfansawdd ar gyfer anifeiliaid nad ydynt yn anifeiliaid anwes) ei dileu.

Diwygiadau i Reoliadau Porthiant (Samplu a Dadansoddi) 1999

13. Caiff Rheoliadau Porthiant (Samplu a Dadansoddi) 1999(a) eu diwygio i'r graddau y maent yn berthnasol i Gymru yn unol â rheoliadau 14 a 15.

14. Yn Rhan I o Atodlen 2 (dulliau dadansoddi) ym mharagraff 3(e)(ii) yn lle'r ymadrodd "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002" rhodder yr ymadrodd ", the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003".

15. Yn Rhan II o Atodlen 3 (ffurflen tystysgrif dadansoddiad) yn nodyn (11)(a) yn lle'r ymadrodd "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002" rhodder yr ymadrodd ", the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003".

Diwygiadau i Reoliadau Porthiant (Gorfodi) 1999

16. Caiff Rheoliadau Porthiant (Gorfodi) 1999(b) eu diwygio i'r graddau y maent yn gymwys i Gymru yn unol â rheoliadau 17 i 20.

17. Yn rheoliad 7 (addasu Deddf Amaethyddiaeth 1970 at ddibenion penodol) -

- (a) yn lle paragraff (2) caiff y paragraff canlynol ei roi -

"(2) The purpose referred to in paragraph (1) is the enforcement and administration of -

 - (a) the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs

- (a) in Part I (feeding stuffs) for the headings to columns 1 and 2 there shall be substituted the headings "Undesirable Substances" and "Products intended for animal feed" respectively; and
- (b) Part II (feed materials) shall be deleted.

12. Part II of Schedule 10 (categories of feed materials for use in relation to compound feeding stuffs for animals other than pets) shall be deleted.

Amendments to the Feeding Stuffs (Sampling and Analysis) Regulations 1999

13. The Feeding Stuffs (Sampling and Analysis) Regulations 1999(a) shall be amended in so far as they apply to Wales in accordance with regulations 14 and 15.

14. In Part I of Schedule 2 (methods of analysis) in paragraph 3(e)(ii) for the expression "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002" there shall be substituted the expression ", the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003".

15. In Part II of Schedule 3 (form of certificate of analysis) in note (11)(a) for the expression "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002" there shall be substituted the expression ", the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003".

Amendments to the Feeding Stuffs (Enforcement) Regulations 1999

16. The Feeding Stuffs (Enforcement) Regulations 1999(b) shall be amended in so far as they apply to Wales in accordance with regulations 17 to 20.

17. In regulation 7 (modification of the Agriculture Act 1970 for certain purposes) -

- (a) for paragraph (2) there shall be substituted the following paragraph -

"(2) The purpose referred to in paragraph (1) is the enforcement and administration of -

 - (a) the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs

(a) O.S. 1999/1663, fel y'i diwygiwyd gan O.S.1999/1871, O.S. 2001/2253 (Cy. 163), O.S. 2002/1797 (Cy. 172) ac O.S. 2003/1677 (Cy.180).

(b) O.S. 1999/2325, fel y'i diwygiwyd gan O.S.2000/656, O.S. 2001/2253 (Cy. 163), O.S. 2001/3461 (Cy. 280), 2002/1797 (Cy. 172), O.S. 2003/989 (Cy. 138) ac O.S. 2003/1677 (Cy.180).

(a) S.I. 1999/1663, amended by S.I. 1999/1871, S.I. 2001/2253 (W. 163), S.I. 2002/1797 (W.172) and S.I. 2003/1677 (W.180).

(b) S.I. 1999/2325, amended by S.I. 2000/656, S.I. 2001/2253 (W. 163), S.I. 2001/3461 (W.280), S.I. 2002/1797 (W.172), S.I. 2003/989 (W.138) and S.I. 2003/1677 (W.180).

(Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003, as read with Part IV of the Act; and

(b) sections 73 and 73A of the Act."; a

(b) yn lle paragraff (4) caiff y paragraff canlynol ei roi -

"(4) The purpose referred to in paragraph (3) is the enforcement and administration of -

(a) the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003, as read with Part IV of the Act; and

(b) sections 73 and 73A of the Act."

18. Ym mhob un o reoliadau 11, 11A ac 11B yn lle'r ymadrodd "and the Feeding Stuffs (Amendment) (Wales) Regulations 2003" rhodder yr ymadrodd ", the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003".

19. Yn y fersiwn a addaswyd o is-adran (8) o adran 67 o Ddeddf Amaethyddiaeth 1970 a nodir yn rheoliad 9 yn lle'r ymadrodd "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002" rhodder yr ymadrodd ", the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003".

20. Yn rheoliad 10 (addasu adran 76 o Ddeddf Amaethyddiaeth 1970) yn lle'r fersiwn a addaswyd o is-adran (17) o adran 76 o Ddeddf Amaethyddiaeth 1970 a nodir yn y rheoliad hwnnw caiff yr -is-adran ganlynol ei rhoi

(Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003, as read with Part IV of the Act; and

(b) sections 73 and 73A of the Act."; and

(b) for paragraph (4) there shall be substituted the following paragraph -

"(4) The purpose referred to in paragraph (3) is the enforcement and administration of -

(a) the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003, as read with Part IV of the Act; and

(b) sections 73 and 73A of the Act."

18. In each of regulations 11, 11A and 11B for the expression "and the Feeding Stuffs (Amendment) (Wales) Regulations 2003" there shall be substituted the expression ", the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003".

19. In the modified version of subsection (8) of section 67 of the Agriculture Act 1970 which is set out in regulation 9 for the expression "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002" there shall be substituted the expression ", the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003".

20. In regulation 10 (modification of section 76 of the Agriculture Act 1970) for the modified version of subsection (17) of section 76 of the Agriculture Act 1970 which is set out in that regulation there shall be substituted the following subsection -

"(17) In this section -

"compound feeding stuff" has the meaning given in regulation 2(1) of the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003;

"controlled product" means any feeding stuff, substance or product which is subject to any of the controls contained in the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003, as read with this Part of this Act, or in sections 73 or 73A of this Act;

"feeding stuff which is intended for a particular nutritional purpose" shall be construed in accordance with the definitions of "feeding stuff intended for a particular nutritional purpose" and "particular nutritional purpose" in regulation 2(1) of the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003;

"premises" include any land, vehicle, vessel, aircraft or hovercraft; and

"put into circulation" means sell or otherwise supply, or have in possession with a view to selling or otherwise supplying."

"(17) In this section -

"compound feeding stuff" has the meaning given in regulation 2(1) of the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003;

"controlled product" means any feeding stuff, substance or product which is subject to any of the controls contained in the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003, as read with this Part of this Act, or in sections 73 or 73A of this Act;

"feeding stuff which is intended for a particular nutritional purpose" shall be construed in accordance with the definitions of "feeding stuff intended for a particular nutritional purpose" and "particular nutritional purpose" in regulation 2(1) of the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001, the Feeding Stuffs (Amendment) (Wales) Regulations 2002, the Feeding Stuffs (Amendment) (Wales) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003;

"premises" include any land, vehicle, vessel, aircraft or hovercraft; and

"put into circulation" means sell or otherwise supply, or have in possession with a view to selling or otherwise supplying."

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

16 Gorffennaf 2003

16th July 2003

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

RHESTR O REOLIADAU'R GYMUNED
EWROPEAIDD A RODDIR YN LLE'R
RHESTR O REOLIADAU'R GYMUNED
EWROPEAIDD A NODIR YN BENODOL
YN RHAN IX O'R TABL YN ATODLEN 3 I
REOLIADAU PORTHIAN (CYMRU) 2001

LIST OF EUROPEAN COMMUNITY
REGULATIONS SUBSTITUTED FOR THE
LIST OF EUROPEAN COMMUNITY
REGULATIONS SPECIFIED IN PART IX OF
THE TABLE TO SCHEDULE 3 TO THE
FEEDING STUFFS (WALES)
REGULATIONS 2001

Rheoliad y Comisiwn (EC) Rhif 2316/98 yn ymwneud ag awdurdodi ychwanegion newydd ac addasu'r amodau ar gyfer awdurdodi nifer o ychwanegion a awdurdodwyd eisoes mewn porthiant⁽²⁾.

Commission Regulation (EC) No. 2316/98 concerning authorisation of new additives and amending the conditions for authorisation of a number of additives already authorised in feedingstuffs⁽²⁾.

Rheoliad y Comisiwn (EC) Rhif 1594/1999 sy'n diwygio'r amodau ar gyfer awdurdodi ychwanegyn mewn porthiant⁽³⁾.

Commission Regulation (EC) No. 1594/1999 amending the conditions for the authorisation of an additive in feedingstuffs⁽³⁾.

Rheoliad y Comisiwn (EC) Rhif 2439/1999 ar yr amodau ar gyfer awdurdodi ychwanegion sy'n perthyn i'r grwp "binders, anti-caking agents a coagulants" mewn porthiant⁽⁴⁾.

Commission Regulation (EC) No. 2439/1999 on the conditions for authorisation of additives belonging to the group "binders, anti-caking agents and coagulants" in feedingstuffs⁽⁴⁾.

Rheoliad y Comisiwn (EC) Rhif 1353/2000 sy'n ymwneud ag awdurdodi ychwanegyn yn barhaol ac ag awdurdodi dros dro ychwanegion newydd, ffyrdd newydd o ddefnyddio ychwanegion a pharatoadau newydd mewn porthiant⁽⁵⁾.

Commission Regulation (EC) No. 1353/2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives, new additive uses and new preparations in feedingstuffs⁽⁵⁾.

Rheoliad y Comisiwn (EC) Rhif 2437/2000 sy'n ymwneud ag awdurdodi ychwanegyn yn barhaol ac awdurdodi dros dro ychwanegion newydd mewn porthiant⁽⁶⁾.

Commission Regulation (EC) No. 2437/2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives in feedingstuffs⁽⁶⁾.

Rheoliad y Comisiwn (EC) Rhif 2013/2001 sy'n ymwneud ag awdurdodi dros dro ffordd newydd o ddefnyddio ychwanegyn ac awdurdodi'n barhaol ychwanegyn mewn porthiant⁽⁷⁾.

Commission Regulation (EC) No. 2013/2001 concerning the provisional authorisation of a new additive use and the permanent authorisation of an additive in feedingstuffs⁽⁷⁾.

Rheoliad y Comisiwn (EC) Rhif 2200/2001 sy'n ymwneud ag awdurdodi dros dro ychwanegion mewn porthiant⁽⁸⁾.

Commission Regulation (EC) No. 2200/2001 concerning provisional authorisation of additives in feedingstuffs⁽⁸⁾.

Rheoliad y Comisiwn (EC) Rhif 256/2002 sy'n ymwneud ag awdurdodi dros dro ychwanegion newydd, estyn y cyfnod yr awdurdodwyd ychwanegyn dros dro ac awdurdodi ychwanegyn yn barhaol mewn porthiant⁽⁹⁾.

Commission Regulation (EC) No. 256/2002 concerning the provisional authorisation of new additives, the prolongation of provisional authorisation of an additive and the permanent authorisation of an additive in feedingstuffs⁽⁹⁾.

Rheoliad y Comisiwn (EC) Rhif 1252/2002 sy'n ymwneud ag awdurdodi dros dro ychwanegyn newydd mewn porthiant⁽¹⁰⁾.

Commission Regulation (EC) No. 1252/2002 concerning the provisional authorisation of a new additive in feedingstuffs⁽¹⁰⁾.

Rheoliad y Comisiwn (EC) Rhif 1876/2002 sy'n ymwneud ag awdurdodi dros dro ffordd newydd o ddefnyddio ychwanegyn mewn porthiant⁽¹¹⁾.

Commission Regulation (EC) No. 1876/2002 concerning the provisional authorisation of a new use of an additive in feedingstuffs⁽¹¹⁾.

Rheoliad y Comisiwn (EC) Rhif 2188/2002 sy'n ymwneud ag awdurdodi dros dro ffyrdd newydd o

Commission Regulation (EC) No. 2188/2002 concerning the provisional authorisation of new uses of

ddefnyddio ychwanegion mewn porthiant⁽¹²⁾.

Rheoliad y Comisiwn (EC) Rhif 261/2003 sy'n ymwneud ag awdurdodi dros dro ffyrdd newydd o ddefnyddio ychwanegion mewn porthiant⁽¹³⁾.

Rheoliad y Comisiwn (EC) Rhif 316/2003 sy'n ymwneud ag awdurdodi ychwanegyn yn barhaol mewn porthiant ac awdurdodi dros dro ychwanegyn a awdurdodwyd eisoes mewn porthiant⁽¹⁴⁾.

Rheoliad y Comisiwn (EC) Rhif 666/2003 sy'n awdurdodi dros dro ddefnyddio rhai micro-organeddau mewn porthiant⁽¹⁵⁾.

Rheoliad y Comisiwn (EC) Rhif 668/2003 sy'n ymwneud ag awdurdodi'n barhaol ychwanegyn mewn porthiant⁽¹⁶⁾.

additives in feedingstuffs⁽¹²⁾.

Commission Regulation (EC) No. 261/2003 concerning the provisional authorisation of new uses of additives in feedingstuffs⁽¹³⁾.

Commission Regulation (EC) No. 316/2003 concerning the permanent authorisation of an additive in feedingstuffs and the provisional authorisation of an additive already authorised in feedingstuffs⁽¹⁴⁾.

Commission Regulation (EC) No. 666/2003 provisionally authorising the use of certain micro - organisms in feedingstuffs⁽¹⁵⁾.

Commission Regulation (EC) No. 668/2003 concerning the permanent authorisation of an additive in feedingstuffs⁽¹⁶⁾.

(1) Mae rhai o'r Rheoliadau uchod yn ymwneud â chategorïau o ychwanegion sy'n cynnwys ychwanegion a reolir gan y Gyfarwydddeb Ychwanegion, ac a restrir yn y Rhan(nau) perthnasol o Ran I i VIII o'r Tabl yn yr Atodlen hon (e.e. ymdrinnir a'r cyffeithydd asid fformig yn Rheoliad (EC) Rhif 1594/1999, ond ymdrinnir â rhai cyffeithyddion eraill yn Rhan VII o'r Tabl).

(2) OJ Rhif L289, 28.10.98, t.4.

(3) OJ Rhif L188, 21.7.1999, t.35.

(4) OJ Rhif L297, 18.11.1999, t.8. Yn lle'r Atodiad i'r Rheoliad hwn rhoddwyd bellach yr Atodiad i Reoliad (EC) Rhif 739/2000 (OJ Rhif L87, 8.4.2000, t.14).

(5) OJ Rhif L155, 28.6.2000, t.15.

(6) OJ Rhif L280, 4.11.2000, t.28.

(7) OJ Rhif L272, 13.10.2001, t.24.

(8) OJ Rhif L299, 15.11.2001, t.1.

(9) OJ Rhif L41, 13.2.2002, t.6.

(10) OJ Rhif L183, 12.7.2002, t.10.

(11) OJ Rhif L284, 22.10.2002, t.7.

(12) OJ Rhif L333, 10.12.2002, t.5.

(13) OJ Rhif L37, 13.2.2003, t.12.

(14) OJ Rhif L46, 20.2.2003, t.15.

(15) OJ Rhif L96, 12.4.2003, t.11.

(16) OJ Rhif L96, 12.4.2003, t.14.

(1) Certain of the above Regulations relate to additive categories which include additives controlled by the Additives Directive, and which are listed in the relevant Part(s) of Parts I to VIII of the Table to this Schedule (e.g. the preservative formic acid is covered by Regulation (EC) No. 1594/1999, but certain other preservatives are covered by Part VII of the Table).

(2) OJ No. L289, 28.10.98, p.4.

(3) OJ No. L188, 21.7.1999, p.35.

(4) OJ No. L297, 18.11.1999, p.8. The Annex to this Regulation is now replaced by the Annex to Regulation (EC) No. 739/2000 (OJ No. L87, 8.4.2000, p.14).

(5) OJ No. L155, 28.6.2000, p.15.

(6) OJ No. L280, 4.11.2000, p.28.

(7) OJ No. L272, 13.10.2001, p.24.

(8) OJ No. L299, 15.11.2001, p.1.

(9) OJ No. L41, 13.2.2002, p.6.

(10) OJ No. L183, 12.7.2002, p.10.

(11) OJ No. L284, 22.10.2002, p.7.

(12) OJ No. L333, 10.12.2002, p.5.

(13) OJ No. L37, 13.2.2003, p.12.

(14) OJ No. L46, 20.2.2003, p.15.

(15) OJ No. L96, 12.4.2003, p.11.

(16) OJ No. L96, 12.4.2003, p.14.

OFFERYNNAU STATUDOL

2003 Rhif 1850 (Cy.200)

AMAETHYDDIAETH, CYMRU

Rheoliadau Porthiant, Porthiant
(Samplu a Dadansoddi) a
Phorthiant (Gorfodi)
(Diwygio) (Cymru)
2003

STATUTORY INSTRUMENTS

2003 No. 1850 (W.200)

AGRICULTURE, WALES

The Feeding Stuffs, the Feeding
Stuffs (Sampling and Analysis) and
the Feeding Stuffs (Enforcement)
(Amendment) (Wales) Regulations
2003

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